


CITY COUNCIL ACTION REQUEST

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| Department: PRNS | CEQA: Not a Project, File PP10-066(e), Services that involve no physical change to the environment. | Coordination: City Attorney's Office | Dept. Approval: /s/ Julie Edmonds-Mares |
| Council District(s): Citywide | | | CMO Approval:  |

SUBJECT: TERM EXTENSION FOR AQUATIC OPERATING AGREEMENTS

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to negotiate and execute the aquatic operating agreements with Maki Swim School, Sparkle Swim School, Los Gatos and Saratoga (LGS) Recreation, West Coast Aquatics and California Sports Center to extend for one additional year through April 2015.

BASIS FOR RECOMMENDATION:

The City of San José owns six (6) aquatic facilities. Five (5) of these facilities are operated by vendors selected through a City Council approved Request for Information (RFI) proposal completed in November 2010. At the conclusion of this RFI, City Council authorized the Department of Parks, Recreation and Neighborhood Services (PRNS) to negotiate agreements with the selected providers as an alternative service delivery model under Municipal Code 4.12.235 (Unique Services Purchases) with an initial three-year term. The initial term is set to expire in April of 2014.

The initial agreement terms do not include an extension clause without completing a second procurement process. However, due to the volume of active and planned procurements to be completed in PRNS this fiscal year there is no capacity to support this process. As a result, PRNS is requesting a one (1)-year extension of the existing operating agreements through April 2015. PRNS is satisfied with the performance of the providers. Approval of this Council action will help maintain service levels at these aquatic sites, including the operation at Camden of the City providing summer programming and LGS providing year-round programming at this location. Additionally, supporting this action will ensure accessibility for users, while at the same time enabling PRNS to carryout a proper RFP process.

| Aquatic Facilities | Council District | Service Provider |
|--------------------|------------------|--------------------------|
| Alviso | 4 | Maki Swim School |
| Biebrach | 3 | Sparkle Swim School |
| Camden | 9 | LGS Recreation/PRNS |
| Fair Swim Center | 7 | West Coast Aquatics |
| Mayfair | 5 | PRNS |
| Rotary Ryland Pool | 3 | California Sports Center |

Living Wage

In 1999, the Office of Equality Assurance exempted the employee classifications of part-time lifeguards and part-time swimming pool aides from the City's Living Wage Policy. All of the aquatic operators deliver direct services through part-time lifeguards and swimming pool aides.

COST AND FUNDING SOURCE:

This project is consistent with the Council approved budget strategy of addressing financial challenges by streamlining operations, redeploying staff, and reducing operating costs. This recommendation will have no additional impact to the General Fund. Non-personal funding for utilities and operational expenses were retained as part of the RFI recommendation, which also transferred these locations to the Community Center Reuse program. The General Fund budget for custodial and building maintenance of these sites was retained as part of the Council's acceptance of the "Report on Community Center Facility Reuse and Summer Aquatics Programs", item 5.1, on December 14, 2010. Expected lease revenues from this action are as follows:

- Alviso \$2,100
- Biebrach \$5,500
- Camden \$15,000
- Fair Swim Center \$6,000
- Mayfair \$0 (City Operated)
- Rotary Ryland \$2,100

FOR QUESTIONS, CONTACT: SUZANNE WOLF, DEPUTY DIRECTOR, 408-535-3576.